

FILED

FEB 28 2023

**CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK**

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA

V.

(1) FRANKLIN BARRETT SECHRIEST

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CRIMINAL NO. 1:22-CR-053-LY

ORDER

Before the Court is Defendant Franklin Barrett Sechriest's Agreed Motion for Continuance (Clerk's Doc. #68) filed on February 22, 2023. Having considered the motion the court is of the opinion that the motion is granted as follows,

ACCORDINGLY, IT IS ORDERED that all pretrial motions shall be filed on or before April 3, 2023, and any response to a motion shall be filed on or before April 17, 2023.

IT IS FURTHER ORDERED that the above entitled and numbered case is reset for hearing on all pending pretrial motions and docket call on April 24, 2023, at 9:30 AM, with jury selection and trial on May 15, 2023, at 9:00 AM.

Pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), the Court finds that the ends of justice served by allowing the Defendant additional time for pretrial preparation outweighs the best interest of the public and the Defendant in a speedy trial. The Court's basis for said finding is that the failure to grant such a continuance in this case would deny counsel for the Defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7). Thus, the Court finds that the time between the previous trial setting of February 13, 2023, and the new setting of May 15, 2023, is excludable under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7).

IT IS FURTHER ORDERED that counsel for the Defendant shall notify the Defendant of all Court settings and, if the Defendant is on bond, advise the Defendant that the Defendant must be present on the dates and times specified in this Order.

SIGNED this 28th day of February, 2023.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE